

Abstract

Request for termination of life in Benelux countries from the perspective of civil law

The master's thesis is about euthanasia which is known as one of the most controversial and discussed topic in the world of law and medicine, especially termination of life on request. The aim of this work is to innovatively introduce unique legislation of termination of life on request in Benelux countries from the perspective of civil law because I am convinced of its importance despite being overshadowed by the meaning of criminal perspective. In a first chapter the terminology, definition and theory dividing will be explained. The other terms which are connected with the things above are the content of this part as well. The human rights related to euthanasia are discussed in next part of this work. Benelux countries have their own euthanasia enactment – this is what third chapter is about. Next part shows in-depth analysis of due care criteria which are contained in second chapter of Termination of life on request and Assisted Suicide Act. Fulfilment of these is one of criterias needed for impunity of the executor of termination of life on request. Fifth chapter is a key part of this work for civil law perspective because of legal requirements for request itself. It also describes related institutes – informed consent and advance directive. Furthermore I handled the legal requirements for applicant itself. I also pointed out groups of patients who's judgement is influenced by their's condition which itself does not mean decisional incompetence. It is spoken about children, patients with dementia, patients with mental disorder or depression, patients in coma or reduced consciousness. This writing has a connection not only with civil law as it is a theme discussed in general – it also contains medical, criminal, constitutional and international law, medical ethic, psychology, sociology, theology and philosophy.